

Subchapter A. Small Employer Health Insurance  
Portability and Availability Act Regulations  
28 TAC §§26.14 and 26.27

1. INTRODUCTION. The Commissioner of Insurance adopts the repeal of §§26.14 and 26.27 concerning small and large employer health insurance regulations. The sections are adopted without changes to the proposal as published in the November 12, 2004 issue of the Texas Register (29 TexReg 10441).

2. REASONED JUSTIFICATION. The repeal of the sections is necessary so that Chapter 26 of the department's rules will conform to current statutory requirements.

Contemporaneously with this repeal, adopted new §§26.14 and 26.27 and amendments to §§26.4 – 26.11, 26.13, 26.15, 26.16, 26.18 – 26.20, 26.22, 26.24, 26.26, 26.301 – 26.309 and 26.311 – 26.312 are published elsewhere in this issue of the Texas Register.

3. HOW THE SECTIONS WILL FUNCTION. The repealed sections are replaced by new §§26.14 and 26.27 which will, in conjunction with other amendments adopted to Chapter 26 that are published elsewhere in this issue of the Texas Register, assure that Chapter 26 of the department's rules conform to current statutory requirements

4. SUMMARY OF COMMENTS AND AGENCY'S RESPONSE TO COMMENTS. No comments were received.

5. STATUTORY AUTHORITY. Repeal of §§26.14 and 26.27 is adopted pursuant to Insurance Code Chapter 1153, and §36.001. Chapter 1153 gives the Commissioner of Insurance authority to set presumptive premium rates by rule for credit life and accident and health policies. Section 36.001 provides that the Commissioner of Insurance may adopt any rules necessary and appropriate to implement the powers and duties of the Texas Department of Insurance under the Insurance Code and other laws of this state.

7. TEXT.

§26.14. Coverage.

§26.27. Forms.

CERTIFICATION. This agency certifies that the repeal as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

Issued at Austin, Texas, on \_\_\_\_\_, 2005.

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Gene C. Jarmon  
General Counsel and Chief Clerk  
Texas Department of Insurance

IT IS THEREFORE THE ORDER of the Commissioner of Insurance that the repeal of §§26.14 and 26.27, concerning small and large employer health insurance regulations, is adopted.

AND IT IS SO ORDERED.

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JOSE MONTEMAYOR  
COMMISSIONER OF INSURANCE

ATTEST:

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Gene C. Jarmon  
General Counsel and Chief Clerk

COMMISSIONER'S ORDER NO. \_\_\_\_\_